

# United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

KIC HOLDINGS, INC.,

PLAINTIFF

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

MSC "BUSAN", her engines, boilers, etc.  
and MEDITERRANEAN SHIPPING COMPANY S.A.,

**08 CV 5699**

DEFENDANT.

**JUDGE SULLIVAN**

TO: (Name and address of defendant)

MEDITERRANEAN SHIPPING COMPANY S.A.  
c/o MSC USA, INC.  
420 FIFTH AVENUE  
NEW YORK, NEW YORK 10018

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

McDERMOTT & RADZIK, LLP  
WALL STREET PLAZA  
88 PINE STREET  
NEW YORK, NEW YORK 10005

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

JUN 25 2008

CLERK

DATE

*Catherine Lapley*

(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons In a Civil Action -SDNY WEB 4/99

**RETURN OF SERVICE**

Service of the Summons and Complaint was made by me <sup>1</sup>	DATE June 27th, 2008
NAME OF SERVER (PRINT) GEORGE RUSH	TITLE Process Server

Check one box below to indicate appropriate method of service

- ☒ Served personally upon the defendant. Place where served: 420 Fifth Avenue, New York, NY 10018, c/o MSC USA, Inc.
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_
- ☐ Returned unexecuted: \_\_\_\_\_
- ☒ Other (specify): left with Lydia Tuve, Administration Assistant  
description - sex: female; color: white; hair: blonde;  
app. age: 46; app. ht: 5'6"; app. wt: 130

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL
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**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on July 1st, 2008  
Date

Signature of Server

GEORGE RUSH

Address of Server

233 Broadway  
New York, NY 10279

**RECEIVED**  
JUL 3 - 2008  
McDERMOTT & RADZIK, LLP

*Handwritten signature/initials*

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.